

Application No.: 10/718,952
Docket No.: BB1077 US DIV

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REMARKS AND
RESPONSE TO RESTRICTION REQUIREMENT

Claims 1-10 are now pending, with Claims 1 and 7 being independent.

Claims 11-19, 22, 23, 27, 29, and 31 had been canceled in the Preliminary Amendment filed with the Application. In the present amendment Claims 20, 21, 24-26, 28, 32, and 33 have been canceled without prejudice to or disclaimer of the subject matter recited therein.

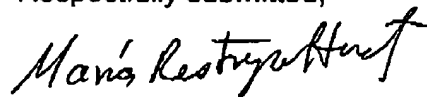
Applicants hereby elect, with traverse, Group I, Claims 1-10 drawn to isolated nucleic acid encoding a soybean myo-inositol 1-phosphate synthase and a chimeric gene comprising it and SEQ ID NO:1 encoding SEQ ID NO:2.

Traversal is made on the grounds that the nucleotide sequences of SEQ ID NO:1, 15, 5, and 11 all encode *myo*-inositol 1-phosphate synthases. Furthermore, as stated on the Specification as filed (page 8, lines 7-10, for example) the plants of the invention carrying a *myo*-inositol 1-phosphate synthase having SEQ ID NOs:1, 5, 11, or 15. There are 42 nucleotides different among SEQ ID NO:1 and SEQ ID NO:15 which result in 7 amino acid differences between SEQ ID NO:2 and SEQ ID NO:16. Furthermore, the nucleotide sequence of SEQ ID NO:1 and SEQ ID NO:5 differ by only one nucleotide (at position 1188) which results in a single amino acid difference between SEQ ID NO:2 and SEQ ID NO:6 (at position 396). Similarly, the nucleotide sequence of SEQ ID NO:11 differs from that of SEQ ID NO:15 by one nucleotide (at position 260) which results in a single amino acid difference between SEQ ID NO:12 and SEQ ID NO:16 (at position 87).

Please charge any fees or credit any overpayment of fees which are required in connection herewith to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Examination on the merits and allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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